

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

The Body of Deantae (a/k/a Deante) Martell
for Purposes of Obtaining Known Samples of
Deoxyribonucleic Acid (DNA)

Case No. **1:24-MJ-00753**

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

The body of Deantae Martell

located in the _____ Southern _____ District of _____ Ohio _____, there is now concealed *(identify the person or describe the property to be seized)*:

Deoxyribonucleic Acid (DNA) sample from the person of Deantae Martell

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

18 U.S.C. § 922(g)(1)

Possession of a firearm by a prohibited person

The application is based on these facts:

See attached affidavit.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days *(give exact ending date if more than 30 days: _____)* is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

SA Benjamin Harris

Applicant's signature

SA Benjamin A. Harris, DEA

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
audio ~~FaceTime~~ video conference *(specify reliable electronic means)*.

Date: **Sep 30, 2024**

Stephanie K. Bowman

Judge's signature

City and state: Cincinnati, Ohio

Hon. Stephanie K. Bowman, U.S. Magistrate Judge

Printed name and title



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF
THE BODY OF DEANTAE (AKA: Deante)
MARTELL FOR PURPOSES OF
OBTAINING KNOWN SAMPLES OF
DEOXYRIBONUCLEIC ACID (DNA)

Case No. 1:24-MJ-00753

Filed Under Seal

AFFIDAVIT

I, Benjamin A. Harris, Special Agent (SA) with the Drug Enforcement Administration (DEA), being first duly sworn, hereby state:

INTRODUCTION

1. I make this affidavit in support of an application for a warrant to search and obtain a Deoxyribonucleic Acid (DNA) sample from **DEANTAE MARTELL**. Such DNA samples may constitute evidence of violations of federal law and are necessary to test firearms seized from **DEANTAE MARTELL**'s mother's residence in which **MARTELL**'s mother admitted to moving a firearm from his bedroom. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

2. I am a Special Agent (SA) of the Drug Enforcement Administration (DEA) and have been so employed since June 2019. As a Special Agent of the DEA, my duties and responsibilities have included conducting criminal investigations for violations of federal law, particularly those found in Title 21 and Title 18, of the United States Code.

3. I am currently assigned to the Cincinnati District Office of the DEA. I have received specialized training from the DEA, including the 16-week Basic Agent Training course.

This training focused on methods of unlawful drug trafficking; the identification of controlled substances; surveillance; undercover operations; confidential source management; the means by which drug traffickers derive, launder, and conceal their profits from drug trafficking; the use of assets to facilitate unlawful drug trafficking activity; and, the law permitting the forfeiture to the United States of assets purchased with drug proceeds or assets used or intended to be used to facilitate the drug violations.

4. As a DEA agent, I have participated in multiple criminal investigations and in the execution of multiple search warrants seeking evidence of violations of the Federal Controlled Substances Act (Title 21, of the United States Code). These warrants covered the search of locations to include: residences of drug traffickers and their co-conspirators/associates and stash houses used as storage and distribution points for controlled substances.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

6. In September 2024, the DEA began a joint investigation with the Cincinnati Police Department Narcotics Unit, investigating **DEANTAE MARTELL**, and other co-conspirators (collectively, the “MARTELL DTO”), a large-scale drug trafficking organization that is a source of illegal narcotics in Cincinnati, Ohio, including cocaine, fentanyl, and marijuana. Agents have identified MARTELL as the head of the MARTELL DTO.

7. In late July of 2023, Cincinnati Police Department Narcotics Detectives Jonce Tackett and Nicholas Casch met with a confidential informant (CI) who stated an individual known to him/her as Leo BOYKIN is supplying cocaine and marijuana to individuals living in the City

of Cincinnati. The CI stated BOYKIN is utilizing telephone number (937) 260-8022 to coordinate cocaine and marijuana sales with customers and co-conspirators.

8. At the direction of the law enforcement, the CI placed an Apple Facetime call to BOYKIN's telephone number (937) 260-8022. During the Apple Facetime call, BOYKIN stated he is sourcing an illegal drug trafficker known as "Moo Moo" who lives in the City of Cincinnati, Ohio. BOYKIN further stated "Moo Moo" is currently buying two kilograms of cocaine at a time from BOYKIN. BOYKIN provided the CI with "Moo Moo's" telephone number (513) 915-1926. The CI is familiar with "Moo Moo" and stated he/she could identify him. Additionally, the CI knew "Moo Moo" recently served federal time but is currently out on federal supervised release.

9. Law enforcement officers searched law enforcement databases and learned a Deantae MARTELL, born xx/xx/1985, has utilized the telephone number (513) 915-1926. Further, MARTELL is currently on supervised release for Assault on a Federal Agent and Use & Discharge of a Firearm during a crime of violence. Law enforcement provided the CI with a recent Ohio Bureau of Motor Vehicles (BMV) photograph of MARTELL. The CI identified the photograph of MARTELL as who he/she knows as "Moo Moo".

10. Law enforcement spoke with MARTELL's Federal Probation officer who stated MARTELL has provided the probation officers with the telephone number (513) 915-1926 and the address 5360 Lees Crossing, Apartment 7, Cincinnati, Ohio 45239. Further the Probation officer stated they received an anonymous complaint from a female alleging MARTELL is actively selling illegal drugs.

11. On August 26, 2024, Cincinnati Police Officer (PO) Gilkison and PO Joyce were patrolling near the area of 2658 Baltimore Ave and conducted a traffic stop on a white SUV with heavy tint near West Fork Rd. The vehicle was occupied by two occupants in which the passenger was later identified as Deantae MARTELL. Consent to search the vehicle was given to officers

which led to the recovery of a black shoulder bag on the passenger seat of the vehicle by the center console. Inside the bag was a large baggie of white powder, multiple small individual baggies of the same white powder that appeared to be ready for sale, and a baggie with multiple blue pills.

12. Officers detained both the driver and MARTELL and placed them in the back of two marked police cruisers and both were advised of their Miranda Rights. Based on the location of the bag, MARTELL was charged with two counts of drug possession and trafficking in drugs.

13. The drugs were sent to the Hamilton County Coroner's Laboratory and tested positive for cocaine and fentanyl, CL#24-05481.

14. On August 27, 2024, Cincinnati Police Narcotics Officer Jonce Tackett was informed by US Federal Probation that MARTELL had been arrested for drug trafficking and drug abuse (Case No. 24CRA14726). Officers lawfully reviewed telephone calls made by MARTELL from the Hamilton County Justice Center and discovered that he had called the number (513) 999-4554 at 2:28am after his arrest. A search of law enforcement databases revealed that this number is registered to Vanetta Murrell, residing at 5360 Lees Crossing Drive, Apartment 7, Cincinnati, Ohio 45239. Officers were aware that Vanetta Murrell is MARTELL's mother and that he lists 5360 Lees Crossing Drive, Apartment 7 as his residence for US Federal probation purposes.

15. The excerpt of the transcript of the call is as follows:

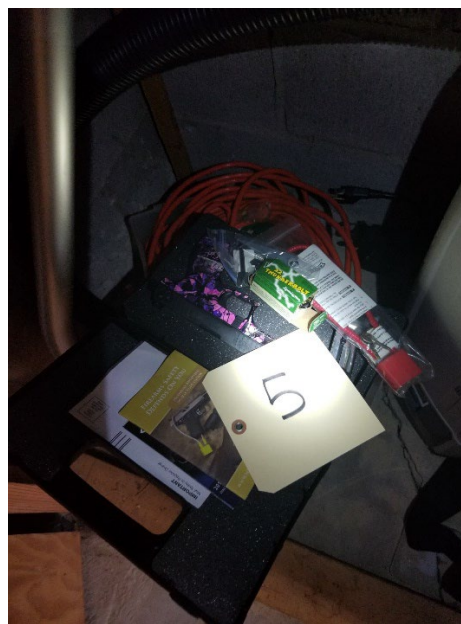
MARTELL: Um uh uh in the room or whatever like nah mean look in there or whatever like nah mean and..

Murrell: I know I gotta clean that room, but I already been up

16. Based on the phone call, officers believe that MARTELL was directing his mother to remove contraband from his room.

17. On this same date, PO Tackett and PO Casch drove to 5360 Lees Crossing Drive, Apartment 7, knocked on the door and spoke with Vanetta Murrell. Murrell gave the officers consent to search her residence. The consent and search was captured on body camera. Murrell

identified MARTELLS's bedroom to officers. Officers searched the bedroom and recovered \$71,000 in US currency and a suspected drug wrapper in MARTELL's closet. Further interview of Vanetta Murrell states that MARTELL doesn't currently have a job and does some small repairs on cars occasionally. It is the law enforcement's belief the US currency recovered from MARTELL's bedroom are illegal drug proceeds. Additionally, when asked about the jail phone call and the statement about cleaning MARTELL's room, Murrell admitted she moved a firearm from MARTELL's room and placed it in a storage unit marked number 7 in the basement of the apartment. Officers searched the storage room and recovered 2 firearms.



18. Additionally, on August 27, 2024, at the direction of Cincinnati Police Officer Tackett, the CI placed a one party consensually recorded telephone call to Leo BOYKIN at telephone number (513) 390-9045. During the call with BOYKIN, BOYKIN told the CI MARTELL was currently buying six to seven kilograms of cocaine at a time and is making a lot of money.

19. Based on my training, experience, and the facts above, there is probable cause to believe that MARTELL is in violation of 18 U.S.C. § 922(g)(1).

CONCLUSION

20. Based on the foregoing, I believe that there is probable cause to issue a search warrant to obtain a Deoxyribonucleic Acid (DNA) sample from the person of **DEANTAE MARTELL**, as this sample may constitute evidence of violations of federal law, specifically 18 U.S.C. § 922(g)(1) (possession of a firearm by a prohibited person). Therefore, I request that the Court allow law enforcement officers to take a cotton swab and place it inside **DEANTAE MARTELL**'s mouth, rubbing the inside of his cheek to obtain cellular material. Based on my training and experience, I know that this procedure is quick, painless and involves minimal intrusion into the body. This sampling is substantively identical to the procedure that normally occurs when the U.S. Marshals process a prisoner. That said, the swab taken by U.S. Marshals is for identification purposes and not investigative purposes, and therefore, the undersigned does not have access to such samplings.

Respectfully submitted,

SA Benjamin Harris

Benjamin A. Harris
Special Agent
Drug Enforcement Administration

Subscribed and sworn to before me by reliable electronic means, specifically, ^{Telephone}~~FaceTime video~~ conference, in accordance with Fed. R. Crim. P. 4.1, on September 30, 2024.

Stephanie K. Bowman

Honorable Stephanie K. Bowman
United States Magistrate Judge

